

CN: 201703018170

SN: 85

PC: 8

FILED

JAN 08 2018

**Timothy W. Fitzgerald
SPOKANE COUNTY CLERK**

Superior Court of Washington, County of SPOKANE

In re:

Petitioner/s (*person/s who started this case*):

SIRINYA SURINA

And Respondent/s (*other party/parties*):

AARON SURINA

No.

17-3-01817-0

Motion for Contempt Hearing
(MTSC)

Motion for Contempt Hearing

To both parties:

Deadline! Your papers must be filed and served by the deadline in your county's Local Court Rules, or by the State Court Rules if there is no local rule. Court Rules and forms are online at www.courts.wa.gov.

If you want the court to consider your side, you **must**:

- File your original documents with the Superior Court Clerk; AND
- Give the Judge/Commissioner a copy of your papers (if required by your county's Local Court Rules); AND
- Have a copy of your papers served on all other parties or their lawyers; AND
- Go to the hearing.

The court may not allow you to testify at the motion hearing. Read your county's Local Court Rules, if any.

Bring proposed orders to the hearing.

To the person filing this motion:

To schedule a hearing on this motion, you must ask the court to sign the Order to Go to Court for Contempt Hearing (Order to Show Cause) (FL All Family 166). This Order may be signed "ex parte" (without the other party there). Contact the Superior Court Clerk's office for the procedure in your county. You must have this Motion and the Order to Go to Court personally served (by someone else) on the other party.

To the person receiving this motion:

If you do not agree with the requests in this motion, file a statement (using form FL All Family 135, *Declaration*) explaining why the court should not approve those requests. You may file other written proof supporting your side.

I declare:

1. I am a (*check one*): Respondent in this case.
2. The other party, (*name*): **SIRINYA SURINA**_____, did **not** obey the orders checked below that were signed by the court on (*date*): **11/8/2017**_____
in (*county and state*): **SPOKANE, WA**_____:

The child support order including (*check all that apply*):

pay (*amount*) \$_____ per month.

provide health insurance for the children and pay health care costs not covered by insurance.

pay for the children's day care, education, long-distance transportation, and other expenses.

Describe how the order was **not** obeyed, including dates and amounts:

The spousal support (maintenance/alimony) order to pay (*amount*) \$_____ per month.

Describe how the order was **not** obeyed, including dates and amounts:

The parenting plan, residential schedule or custody order.

Describe how the order was **not** obeyed including dates and times:

The restraining order.

Describe how the order was **not** obeyed including dates and times:

Other order (specify): _____

Describe how the order was **not** obeyed including dates, times, and amounts, if any:

Petitioner makes claims that I do not have rights to the children.

Petitioner does not follow the court orders if they are not convenient to her as recorded on the record in early November when an enforcement of order was filed with the court.

The petitioner has refused to provide the respondent the opportunity to be involved in joint decision making regarding the health, wellbeing and safety of their children even though the court and respondent has provided the petitioner with the opportunity on every occasion.

The petitioner has also made secret medical appointments to conceal the health and safety from the court and the respondent by having these appointments take place in a location the respondent is court ordered not to enter (The temporary resident of the petitioner without providing any notification to the respondent). The respondent is bringing the following before the court in a motion for contempt:

- 1) Scheduled healthcare appointment on 12/20/2017 with David's counselor and without notice to father as ordered ordered by the court on 11/8/2017***
- 2) Scheduled healthcare appointment on 1/3/2018 at the residence outside of the primary care physicians a day after attending a wellness visit for the youngest child attempting to conceal entire neglect issue from father and without notice to father as ordered. Made appointment with county staff outside of Providence network and at the residence where father is court ordered to not enter.***
- 3) Scheduled healthcare appointment on 1/3/2018 with counselor and provided no notification as ordered (Crystl Murray-Mills advised of appointment for motion)***
- 4) Scheduled healthcare appointment on 1/6/2018 with counselor and provided no notification as court ordered (Crystl Murray-Mills advised of appt for motion)***
- 5) Scheduled healthcare appointment on 1/5/2018 without notice to father as ordered.***

This particular willful disregard for the children and their health is defined clearly by RCW 26.44.030 and meets all 3 criteria mentioned. (Health, Wellbeing or Safety) I am confused as to why the petitioner did not agree to a TB skin test 5 months prior when the patient living in the residence was diagnosed with Tuberculosis.

Asking the court to request an answer as to why was the respondent (non custodian) was not notified that the children could be potentially exposed and or infected with a deadly disease for 5 months? There are plenty of options other than risking the life, safety, health and wellbeing of these children.

The medical staff uses a translator to discuss all medical matters with their ESL patients and family if needed which in this case was necessary as the patient does not speak english.

Respondent requesting information on other appointments that are being concealed from him and the results of those appointments. These visits are taking place outside of the systems and care of the families primary care providers at Providence which is what the children are insured under and what the respondent and department of child services ordered (DCS added Andrew by court order for vision insurance under the providence medical plan).

Petitioner is alienating and secretly scheduling "free" healthcare appointments

Petitioner refuses to allow the 5 year old child to call his father at any time.

My child is being alienated from contact whatsoever between our parenting times which is confusing and damaging to David.

Requesting proof of completion of "sharing the children class" which was required within 60 days.

The medical appointment on 1/3 revealed that she's been keeping the children exposed to a patient with full blown tuberculosis living in the residence for 5 months and refusing to allow the nursing staff to test the children after being exposed to someone who they believed to be highly infectious while the petitioner herself has been vaccinated.

The SRHD staff encouraged to test the children for 5 months while treating the patient in the house which is a daily antibiotic treatment. The respondent's youngest son, Andrew is considered high risk being under 5 years old. The disease prevention nurses encouraged her over the course of 5 months but could not force her and did not know there were any other custodial parents.

Respondent sent the current court order and met with the SRHD nursing staff at their location near Maple and found out from the spokane regional health district that they were under the impression that the respondent had no rights to the children.

They have been treating the patient in the house for 5 months everyday which means the petitioner understands the seriousness of the disease, knows she's vaccinated and safe, knows the effects of the antibiotics and what is required to stay alive if contracted as the patient in the house is being treated due to infection. The treatment can cause vomiting among other things and typically last 6-9 months to treat with daily antibiotics. This treatment can cost over 100,000.00 easily for the respondent to cover.

The petitioner is vaccinated and has known about the tuberculosis since AUGUST. The petitioner denied the children's tests over numerous visits to their primary care providers as well as keeping this dangerous and potentially deadly

situation a secret along with her partners involved in this child neglect as defined in RCW 26.44.020 Carl and On Wilson.

This is a textbook definition in RCW 26.44.020

This information was willfully and with intent concealed from the respondent, the court, the primary care providers, the schools and the rest of the greater family in the area.

The petitioner chose to use the infected patient as the child exchanger by way of the court order after knowing she may be infectious, knew she had tuberculosis, knew it is dangerous and willfully put the respondent, his 1 year old, 5 year old and the respondents entire family (cousins, sisters, brothers, nieces and nephews) all into a potentially deadly situation for 5 months without advising or letting any of the people in danger know.

The court ordered the tuberculosis patient to be the one doing the exchanges based on the willful intent of the petitioner who was aware in AUGUST 2017 that the patient was infected with tuberculosis.

I ask the court to relieve the patient as the child exchange person. The petitioner has done exchanges on numerous occasions in contempt but I did not want to waste the courts time with child exchanges which in my opinion have never been an issue and any such perception are a part of the petitioners mud slinging to portray the respondent in a negative light.

The petitioner has no issues with doing child exchanges and at times does bring the children when her visitation ends to hand off or pick up at the curb. These dates can be provided, there have been 6 of them since we had our last hearing. I am not including these in this contempt motion as we will need to be able to exchange our children.

I am asking the court provide the respondent with the children in the interests of their health, safety and wellbeing until a time when the court deems a visitation schedule will be safe for everyone.

The Spokane Regional Health District has stated that the treatment will continue with the patient for 1-3 more months. I am asking that we visit RCW 26.44.020 and consider the contempt charge for the above numbered incidents which records are attached to prove willful textbook example of the above code definition. The attached shows that the children were exposed to TB and treatment has been taking place for 5 months which proves she knowingly disregarded the children's health, safety and wellbeing by denying the tests or discussions of the tests with anybody for the entire time of this case including the commissioner who ordered the tuberculosis infected patient to be the child exchanger.

3. Request – I ask the court to:

- Order the other party to go to court to show why the court should not approve the judgment and orders I've requested,

RCW 26.09.160

Mandatory Form (05/2016)

FL All Family 165

Motion for Contempt Hearing

- Find the other party in contempt, and
- Approve the requests checked below.

4. Money judgment requested

No request.

I ask the court to approve a judgment ordering the other party to pay (*check all that apply*):

	Amount	Interest	From (date)	To (date)
Past due child support	\$	\$		
Past due medical support (<i>health insurance & health care costs not covered by insurance</i>)	\$	\$		
Past due children's expenses for: day care education long-distance transp. other	\$	\$		
Past due spousal support	\$	\$		
Other (<i>specify</i>):	\$	\$		

5. Fines and penalties (remedial sanctions) requested

Does not apply.

Approve other reasonable orders, including ordering the other party to:

- Pay a fine – civil penalty (required for violations of parenting time orders),
- Pay a fine for each day the court's orders are not followed,
- Meet certain conditions to stop being in contempt (purge the contempt),
- Pay my lawyer fees and costs, if any,
- Give me make-up parenting time, if appropriate, and
- Any other relief allowed by law (Chapter 7.21 RCW, Chapter 26.09 RCW, Chapter 26.10 RCW, Chapter 26.26 RCW, and RCW 26.18.040).

Send the other party to jail.

- 6. Other orders requested** (if any): Provide another place for the patient to stay while any child visitation occurs. Carl and On Wilson who are not the only people speaking on behalf of my children and have been perpetrating that Sirinya is unable to speak english have also known of this environment for 5 months, have not assisted with the health, welfare and safety of the children and have been an accessory to child neglect.

RCW 26.44.030 _____

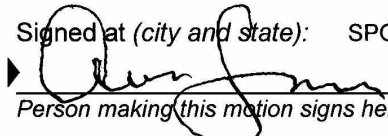
Primary placement of children in a location with no exposure to tuberculosis which could be deadly for young children.

Provide the petitioner with notice of end date of maintenance again so respondent can have house cleaned and sanitized of tuberculosis bacteria at arrival of the 6 month maintenance ordered by the court previously which is nearing it's end (8/14/2018 - 2/14/2018) This is necessary so that the house can be rented until we reach a verdict by a trial judge on the division of community property.

Person making this motion fills out below:

I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form are true.

Signed at (city and state): SPOKANE, WA _____ Date: 1/8/2018

 _____ AARON SURINA _____
Person making this motion signs here Print name here

I agree to accept legal papers for this case at (check one):

my lawyer's address, listed below.

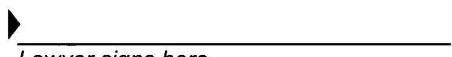
the following address (this does **not** have to be your home address):

721 HAZARD RD, SPOKANE, WA 99208 _____
street address or PO box city state zip

(Optional) email: LEGAL@SURINA.ORG _____

(If this address changes before the case ends, you **must** notify all parties and the court clerk in writing. You may use the Notice of Address Change form (FL All Family 120). You must also update your Confidential Information Form (FL All Family 001) if this case involves parentage or child support.)

Lawyer (if any) fills out below:

 _____
Lawyer signs here Print name and WSBA No. Date

Lawyer's street address or PO box city state zip

RCW 26.09.160

Mandatory Form (05/2016)

FL All Family 165

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Email (if applicable): _____

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, **must** be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a *Sealed* cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents.